

1999 DRAFTING REQUEST

Bill

Received: **11/23/1999**

Received By: **malaigm**

Wanted: **As time permits**

Identical to LRB:

For: **Sheryl Albers (608) 266-8531**

By/Representing: **Memo**

This file may be shown to any legislator: **NO**

Drafter: **malaigm**

May Contact:

Alt. Drafters:

Subject: **Children - out-of-home placement**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Kinship care; eligibility of person 18 or over who is still in school

Instructions:

See Attached--permit kinship care relative to continue receiving kinship care payments for providing care and maintenance for a child after the child turns 18 if the child is still in school.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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Page 1

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Page 1

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Instructions:

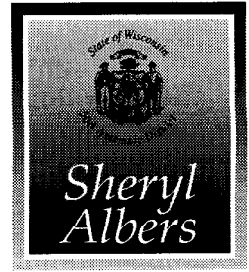
See Attached--permit kinship care relative to continue receiving kinship care payments for providing care and maintenance for a child after the child turns 18 if the child is still in school.

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FE Sent For:

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To: Legislative Reference Bureau
From: Representative Sheryl K. Albers

Date: November 22, 1999
Subject: Kinship Care Legislation

Please draft legislation which will define a child under Kinship care as the following:

A dependent under the age of 18 or who is a full-time student in good standing at a secondary school or its vocational or technical equivalent.

NOTE: This will address situations like one in my district, where an honor student / track star of Reedsburg High School was being raised by his 80 year-old grandmother; she lost Kinship Care dollars because he turned 18 during the school year.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3994/?

GMM.....V.....
p gs

note

gen cat

1 **AN ACT** ...; relating to: eligibility for kinship care or long-term kinship care
2 payments of a relative who is providing care and maintenance for a person 18
3 years of age or over who is a full-time student in good academic standing at a
4 secondary school or its vocational or technical equivalent.

Analysis by the Legislative Reference Bureau

Under current law, certain relatives of a child who provide care and maintenance for the child and who meet certain other conditions are eligible for payments in the amount of \$215 per month under the kinship care and long-term kinship care programs. Currently, for purposes of eligibility to receive those payments, "child" is defined as a person who is less than 18 years of age. Current law, however, for purposes of eligibility to participate in certain other public assistance programs, such as the foster care, Wisconsin works, medical assistance and badger care programs, includes in the definition of "child" a person under 19 years of age who is a full-time student at a secondary school or its vocational or technical equivalent and who is reasonably expected to complete the program before reaching 19 years of age. This bill includes a person 18 years of age or over who is a full-time student in good academic standing at a secondary school or its vocational or technical equivalent in the definition of "child" for purposes of eligibility for payments under the kinship care and long-term kinship care programs.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.435 (3) (kd) of the statutes is amended to read:

20.435 (3) (kd) *Kinship care and long-term kinship care assessments.* The amounts in the schedule for assessments of kinship care relatives, as defined in s. 48.57 (3m) (a) 2., and long-term kinship care relatives, as defined in s. 48.57 (3n) (a) 2., who provide care and maintenance for children to determine if those kinship care relatives and long-term kinship care relatives are eligible to receive payments under s. 48.57 (3m) or (3n). All moneys transferred from the appropriation account under s. 20.445 (3) (md) to this appropriation account shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year is transferred to the appropriation account under s. 20.445 (3) (ky).

History: 1971 c. 125 ss. 138 to 155, 522 (1); 1971 c. 211, 215, 302, 307, 322; 1973 c. 90, 198, 243; 1973 c. 284 s. 32; 1973 c. 308, 321, 322, 333, 336; 1975 c. 39 ss. 153 to 173, 732 (1), (2); 1975 c. 41 s. 52; 1975 c. 82, 224, 292; 1975 c. 413 s. 18; 1975 c. 422, 423; 1975 c. 430 ss. 1, 2, 80; 1977 c. 29 ss. 236 to 273, 1657 (18); 1977 c. 112; 1977 c. 203 s. 106; 1977 c. 213, 233, 327; 1977 c. 354 s. 101; 1977 c. 359; 1977 c. 418 ss. 129 to 137, 924 (18) (d), 929 (55); 1977 c. 428 s. 115; 1977 c. 447; 1979 c. 32 s. 92 (11); 1979 c. 34, 48; 1979 c. 102 s. 237; 1979 c. 111, 175, 177; 1979 c. 221 ss. 118g to 133, 2202 (20); 1979 c. 238, 300, 331, 361; 1981 c. 20 ss. 301 to 356b, 2202 (20) (b), (d), (e); 1981 c. 93 ss. 3 to 8, 186; 1981 c. 298, 314, 317, 359, 390; 1983 a. 27 ss. 318 to 410, 2202 (20); 1983 a. 192, 199, 245; 1983 a. 333 s. 6; 1983 a. 363, 398, 410, 427; 1983 a. 435 ss. 2, 3, 7; 1983 a. 538; 1985 a. 24, 29, 56, 73, 120, 154, 176, 255, 281, 285, 332; 1987 a. 27, 339, 368, 398, 399, 402; 1987 a. 403 ss. 25, 256; 1987 a. 413; 1989 a. 31, 53; 1989 a. 56 ss. 13, 259; 1989 a. 102; 1989 a. 107 ss. 11, 13, 17 to 37; 1989 a. 120, 122, 173, 199, 202, 318, 336, 359; 1991 a. 6, 39, 189, 269, 275, 290, 315, 322; 1993 a. 16, 27, 76, 98, 99, 168, 183, 377, 437, 445, 446, 450, 469, 479, 490, 491; 1995 a. 27 ss. 806 to 961r, 9126 (19); 1995 a. 77, 98; 1995 a. 216 ss. 26, 27; 1995 a. 266, 276, 289, 303, 404, 417, 440, 448, 464, 468; 1997 a. 27 ss. 211, 214, 216, 217, 527 to 609; 1997 a. 35, 105, 231, 237, 280, 293; 1999 a. 5.

SECTION 2. 48.57 (3m) (a) of the statutes is renumbered 48.57 (3m) (a) (intro.)

and amended to read:

48.57 (3m) (a) (intro.) In this subsection, ~~"kinship care relative";~~

2. "Kinship care relative" means a stepparent, brother, sister, stepbrother, stepsister, first cousin, nephew, niece, aunt, uncle or any person of a preceding generation as denoted by the prefix of grand, great or great-great, whether by consanguinity, direct affinity or legal adoption, or the spouse of any person named in this paragraph, even if the marriage is terminated by death or divorce.

History: 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 271, 354, 418, 447, 449; 1979 c. 34, 221; 1981 c. 329; 1983 a. 189 s. 329 (17); 1983 a. 447; 1985 a. 176; 1987 a. 339; 1993 a. 385, 395, 446, 491; 1995 a. 27 ss. 2575 to 2579m, 9126 (19); 1995 a. 77, 289, 443; 1997 a. 3, 21, 33, 36, 41, 105, 231, 252, 292.

1 **SECTION 3.** 48.57 (3m) (a) 1. of the statutes is created to read:

2 48.57 (3m) (a) 1. "Child" means a person under 18 years of age or a person 18
3 years of age or over who is a full-time student in good academic standing at a
4 secondary school or its vocational or technical equivalent.

5 **SECTION 4.** 48.57 (3m) (am) 2. of the statutes is amended to read:

6 48.57 (3m) (am) 2. The county department or department determines that the
7 child meets one or more of the criteria specified in s. 48.13 or 938.13 ~~or~~, that the child
8 would be at risk of meeting one or more of those criteria if the child were to remain
9 in his or her home or, if the child is 18 years of age or over, that the child would meet
10 or be at risk of meeting one or more of those criteria as specified in this subdivision
11 if the child were under 18 years of age.

History: 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 271, 354, 418, 447, 449; 1979 c. 34, 221; 1981 c. 329; 1983 a. 189 s. 329 (17); 1983 a. 447; 1985 a. 176; 1987 a. 339; 1993 a. 385, 395, 446, 491; 1995 a. 27 ss. 2575 to 2579m, 9126 (19); 1995 a. 77, 289, 443; 1997 a. 3, 27, 35, 36, 41, 105, 237, 252, 292.

12 **SECTION 5.** 48.57 (3n) (a) of the statutes is renumbered 48.57 (3n) (a) (intro.)

13 and amended to read:

14 48.57 (3n) (a) (intro.) In this subsection, ~~"long-term kinship care relative";~~

15 2. "Long-term kinship care relative" means a stepparent, brother, sister,
16 stepbrother, stepsister, first cousin, nephew, niece, aunt, uncle or any person of a
17 preceding generation as denoted by the prefix of grand, great or great-great,
18 whether by consanguinity, direct affinity or legal adoption, or the spouse of any
19 person named in this paragraph, even if the marriage is terminated by death or
20 divorce.

History: 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 271, 354, 418, 447, 449; 1979 c. 34, 221; 1981 c. 329; 1983 a. 189 s. 329 (17); 1983 a. 447; 1985 a. 176; 1987 a. 339; 1993 a. 385, 395, 446, 491; 1995 a. 27 ss. 2575 to 2579m, 9126 (19); 1995 a. 77, 289, 443; 1997 a. 3, 27, 35, 36, 41, 105, 237, 252, 292.

21 **SECTION 6.** 48.57 (3n) (a) 1. of the statutes is created to read:

1 48.57 (3n) (a) 1. "Child" means a person under 18 years of age or a person 18
2 years of age or over who is a full-time student in good academic standing at a
3 secondary school or its vocational or technical equivalent.

4 SECTION 7. 48.57 (3n) (am) 6. a. of the statutes is amended to read:

5 48.57 (3n) (am) 6. a. The date on which the child attains the age of 18 years or
6 if on that date the child is a full-time student in good academic standing at a
7 secondary school or its vocational or technical equivalent, the date on which the child
8 is granted a high school or high school equivalency diploma. ← close space
plain period

History: 1977 c. 29; 1977 c. 83 s. 26; 1977 c. 271, 354, 418, 447, 449; 1979 c. 34, 221; 1981 c. 329; 1983 a. 189 s. 329 (17); 1983 a. 447; 1985 a. 176; 1987 a. 339; 1993 a. 385, 395, 446, 491; 1995 a. 27 ss. 2575 to 2579m, 9126 (19); 1995 a. 77, 289, 443; 1997 a. 3, 27, 35, 36, 41, 105, 237, 252, 292.

9 SECTION 8. 48.977 (1) of the statutes is amended to read:

10 48.977 (1) DEFINITION. In this section, "relative" means a relative as defined
11 in s. 48.02 (15) or a person specified in s. 48.57 (3m) (a) 2.

History: 1995 a. 275; 1997 a. 27, 35, 80, 237.

12 SECTION 9. 118.175 (1) of the statutes, as created by 1999 Wisconsin Act 9, is
13 amended to read:

14 ~~118.175~~ 118.175 (1) This section does not apply to a pupil who has a legal custodian,
15 as defined in s. 48.02 (11) or 938.02 (11), or who is cared for by a kinship care relative,
16 as defined in s. 48.57 (3m) (a) 2.

History: 1999 a. 9.

17 SECTION 10. Effective date.

18 (1) ELIGIBILITY OF STUDENTS OVER 18 FOR KINSHIP CARE AND LONG-TERM KINSHIP
19 CARE PAYMENTS. This act takes effect on the first day of the first month beginning after
20 publication.

21 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3994/1dn

GMM/...:....

Handwritten initials and signature:
A large stylized 'X' or 'K' with a line extending from the bottom right to the initials 'cjs'.

Your requested language for including students 18 years of age or over in the kinship care and long-term kinship care programs appears to be modeled after similar language relating to eligibility for the foster care, W-2 and former AFDC programs. See ss. 46.261(1), 49.141(1)(c) and 49.19(1)(a), stats. Those provisions also include a requirement that the person be under 19 years of age and be expected to complete the program before reaching age 19. Do you want to include those age 19 requirements for kinship care and long-term kinship care?

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: Gordon.Malaise@legis.state.wi.us

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3994/1dn
GMM:cjs:km

November 29, 1999

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SUBMITTAL FORM

LEGISLATIVE REFERENCE BUREAU Legal Section Telephone: 266-3561 5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 11/29/1999

To: Representative Albers

Relating to LRB drafting number: LRB-3994

Topic

Kinship care; eligibility of person 18 or over who is still in school

Subject(s)

Children - out-of-home placement

1. JACKET the draft for introduction _____

in the Senate ____ or the Assembly ____ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. REDRAFT See the changes indicated or attached _____

Please include age 19 requirements, as noted in the drafter's note (attached). This will make kinship language similar to foster care and W-2. Thank you!

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain FISCAL ESTIMATE NOW, prior to introduction _____

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Gordon M. Malaise, Senior Legislative Attorney
Telephone: (608) 266-9738

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRR-3994/1dn
GMM:cjs:km

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yes.

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Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: Gordon.Malaise@legis.state.wi.us



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3994/12

GMM:cjs:km

DMR

1999 BILL

and who is reasonably expected to be
granted ~~his or her~~ ^(a) high school or
high school equivalency diploma
before attaining 19 years of age

, but under 19 years of age,

1 **AN ACT to renumber and amend 48.57 (3m) (a) and 48.57 (3n) (a); to amend**
2 **20.435 (3) (kd), 48.57 (3m) (am) 2., 48.57 (3n) (am) 6. a., 48.977 (1) and 118.175**
3 **(1); and to create 48.57 (3m) (a) 1. and 48.57 (3n) (a) 1. of the statutes; relating**
4 **to: eligibility for kinship care or long-term kinship care payments of a relative**
5 **who is providing care and maintenance for a person 18 years of age or over who**
6 **is a full-time student in good academic standing at a secondary school or its**
7 **vocational or technical equivalent.**

Analysis by the Legislative Reference Bureau

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, but under 19 years of age,

BILL

and who is reasonably expected to be granted a
high school or high school equivalency
diploma before attaining 19 years of age
a full-time student in good academic standing at a secondary school or its vocational
or technical equivalent in the definition of "child" for purposes of eligibility for
payments under the kinship care and long-term kinship care programs.

For further information see the *state and local* fiscal estimate, which will be
printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do
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SECTION 2. 48.57 (3m) (a) of the statutes is renumbered 48.57 (3m) (a) (intro.)
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consanguinity, direct affinity or legal adoption, or the spouse of any person named
in this paragraph, even if the marriage is terminated by death or divorce.

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BILL*but under 19 years of age,**WFO leave as was
if the
sit*

1 48.57 (3m) (a) 1. "Child" means a person under 18 years of age or a person 18
 2 years of age or over who is a full-time student in good academic standing at a
 3 secondary school or its vocational or technical equivalent.

*and who is reasonably
expected to complete his
or her program of study
before reaching
age 19*

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 6 child meets one or more of the criteria specified in s. 48.13 or 938.13 ~~or~~, that the child
 7 would be at risk of meeting one or more of those criteria if the child were to remain
 8 in his or her home or, if the child is 18 years of age or over, that the child would meet
 9 or be at risk of meeting one or more of those criteria as specified in this subdivision
 10 if the child were under 18 years of age.

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 12 and amended to read:

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*Use
Pulse*
~~And who is reasonably expected to be granted~~
~~a high school or high school equivalency~~
~~diploma before attaining 19 years of age~~

*WFO
do not
underscore
this material*

BILL

or attains 19 years of age, whichever
occurs first

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SECTION 10. Effective date.

(1) ELIGIBILITY OF STUDENTS OVER 18 FOR KINSHIP CARE AND LONG-TERM KINSHIP
CARE PAYMENTS. This act takes effect on the first day of the first month beginning after
publication.

(END)

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or high school equivalency
diploma before attaining 19
years of age

SUBMITTAL FORM

LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 12/21/1999

To: Representative Albers

Relating to LRB drafting number: LRB-3994

Topic

Kinship care; eligibility of person 18 or over who is still in school

Subject(s)

Children - out-of-home placement

1. JACKET the draft for introduction

in the Senate ____ or the Assembly ____ (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. REDRAFT. See the changes indicated or attached

SEE MEMO DATED 22 Dec 99.

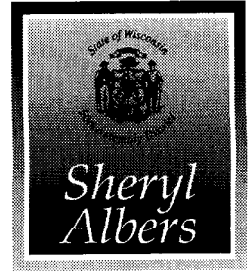
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If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Gordon M. Malaise, Senior Legislative Attorney
Telephone: (608) 266-9738



To: Attorney Gordon Malaise
From: Attorney Scott Harold Southworth

Date: December 22, 1999
Subject: LRB 3994 (Kinship Care)

Gordon,

After reviewing 3994/2 and talking with both Sheryl and the Sauk County Human Services director, I would like to eliminate the requirement that the student be reasonably expected to be granted a high school or high school equivalency diploma "before attaining 19 years of age." I would like to leave the "reasonably expected to be granted a high school or high school equivalency diploma" language in the bill – just remove the "before attaining 19 years of age" phrase at the following locations: Page 3, line 9; page 4, line 6; and page 4, lines 11-12.

I believe that the "before" phrase would allow (or require) human service coordinators to deny eligibility to an 18 year-old student who turns 18, is in good academic standing at a school or program, and is expected to graduate, but may not graduate before turning 19. Our human services director has no problem with the expectation that they will graduate, but doesn't want to provide another reason for denying funds to the student. Human service agencies will have the discretion under the bill to deny funds to a student who they feel has no reasonable chance of ever graduating. However, an objective 'before age 19' standard could serve to deny benefits to a number of 18 year-old students who are working toward their degree, but may not quite finish by their 19th birthday.

Please let me know if I'm reading something wrong in the bill, or if you have any ideas on how to improve the legislation. As always, thanks for your assistance.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3994/3
GMM:cjs:jf RMR

1999 BILL

complete his or her program of study
and

1 AN ACT *to renumber and amend* 48.57 (3m) (a) and 48.57 (3n) (a); *to amend*
2 20.435 (3) (kd), 48.57 (3m) (am) 2., 48.57 (3n) (am) 6. a., 48.977 (1) and 118.175
3 (1); and *to create* 48.57 (3m) (a) 1. and 48.57 (3n) (a) 1. of the statutes; **relating**
4 **to:** eligibility for kinship care or long-term kinship care payments of a relative
5 who is providing care and maintenance for a person 18 years of age or over, ~~but~~
6 ~~under 19 years of age,~~ who is a full-time student in good academic standing at
7 a secondary school or its vocational or technical equivalent and is reasonably
8 expected to be granted a high school or high school equivalency diploma ~~before~~
9 ~~attaining 19 years of age.~~

Analysis by the Legislative Reference Bureau

Under current law, certain relatives of a child who provide care and maintenance for the child and who meet certain other conditions are eligible for payments in the amount of \$215 per month under the kinship care and long-term kinship care programs. Currently, for purposes of eligibility to receive those payments, "child" is defined as a person who is less than 18 years of age. Current law, however, for purposes of eligibility to participate in certain other public assistance programs, such as the foster care, Wisconsin works, medical assistance

BILL

Complete his or her
program of study and

and badger care programs, includes in the definition of "child" a person under 19 years of age who is a full-time student at a secondary school or its vocational or technical equivalent ~~and who is reasonably expected to be granted a high school or high school equivalency diploma before attaining 19 years of age~~ and who is reasonably expected to complete the program before reaching 19 years of age. This bill includes a person 18 years of age or over, ~~but under 19 years of age~~, who is a full-time student in good academic standing at a secondary school or its vocational or technical equivalent and who is reasonably expected to be granted a high school or high school equivalency diploma ~~before attaining 19 years of age~~ in the definition of "child" for purposes of eligibility for payments under the kinship care and long-term kinship care programs.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.435 (3) (kd) of the statutes is amended to read:

20.435 (3) (kd) *Kinship care and long-term kinship care assessments.* The amounts in the schedule for assessments of kinship care relatives, as defined in s. 48.57 (3m) (a) 2., and long-term kinship care relatives, as defined in s. 48.57 (3n) (a) 2., who provide care and maintenance for children to determine if those kinship care relatives and long-term kinship care relatives are eligible to receive payments under s. 48.57 (3m) or (3n). All moneys transferred from the appropriation account under s. 20.445 (3) (md) to this appropriation account shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year is transferred to the appropriation account under s. 20.445 (3) (ky).

SECTION 2. 48.57 (3m) (a) of the statutes is renumbered 48.57 (3m) (a) (intro.) and amended to read:

48.57 (3m) (a) (intro.) In this subsection, ~~"kinship care relative";~~

2. "Kinship care relative" means a stepparent, brother, sister, stepbrother, stepsister, first cousin, nephew, niece, aunt, uncle or any person of a preceding

BILL

Complete his or her program of study and

1 generation as denoted by the prefix of grand, great or great-great, whether by
2 consanguinity, direct affinity or legal adoption, or the spouse of any person named
3 in this paragraph, even if the marriage is terminated by death or divorce.

4 **SECTION 3.** 48.57 (3m) (a) 1. of the statutes is created to read:

5 48.57 (3m) (a) 1. "Child" means a person under 18 years of age or a person 18
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9 diploma ~~before attaining 19 years of age.~~

10 **SECTION 4.** 48.57 (3m) (am) 2. of the statutes is amended to read:

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12 child meets one or more of the criteria specified in s. 48.13 or 938.13 ~~or~~, that the child
13 would be at risk of meeting one or more of those criteria if the child were to remain
14 in his or her home or, if the child is 18 years of age or over, that the child would meet
15 or be at risk of meeting one or more of those criteria as specified in this subdivision
16 if the child were under 18 years of age.

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19 48.57 (3n) (a) (intro.) In this subsection, ~~"long-term kinship care relative";~~

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23 whether by consanguinity, direct affinity or legal adoption, or the spouse of any
24 person named in this paragraph, even if the marriage is terminated by death or
25 divorce.

BILL

SECTION 6

complete his or her program of study
and

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5 who is reasonably expected to be granted a high school or high school equivalency
6 diploma ~~before attaining 19 years of age.~~

7 SECTION 7. 48.57 (3n) (am) 6. a. of the statutes is amended to read:

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12 ~~years of age.~~ the date on which the child is granted a high school or high school
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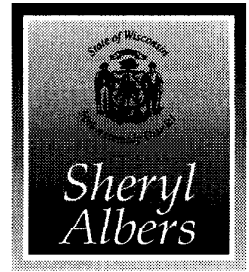
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complete his or her
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BILL

1 (1) ELIGIBILITY OF STUDENTS OVER 18 FOR KINSHIP CARE AND LONG-TERM KINSHIP
2 CARE PAYMENTS. This act takes effect on the first day of the first month beginning after
3 publication.

4 **(END)**



To: Attorney Gordon Malaise, LRB
From: Attorney Scott Harold Southworth, Research Assistant

Date: January 13, 2000
Subject: LRB 3994/3

Gordon,

I believe there was some confusion with my 22 Dec 99 memo. We do not want to eliminate the 19-year-old threshold for ending benefits. If a student turns 19 during high school, we want benefits to cease. We also want the human services director to evaluate whether or not the 18-year-old is reasonably expected to graduate from some high school program *at some point in the future*. However, since the human services director will know whether or not an 18-year-old student can "reasonably be expected to be granted a high school or high school equivalency diploma *before attaining 19 years of age*," that standard could be used to deny that 18-year-old high school junior benefits from the age of 18 until he turns 19, since he will graduate from high school at the age of 19 and cannot reasonably be expected to finish before his 19th birthday.

Therefore, we would like to delete "or over" and add "but under 19 years of age" at the following locations:

- ✓ Page 3, line 5
- ✓ Page 4, line 2

Thank you.

i.e., determine that reasonably expected to graduate sometime -
even after turning 19

but cut off benefits when turn 19



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3994/3
GMM:cjs:jf

4
RMR

1999 BILL

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Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

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To: Representative Albers

Relating to LRB drafting number: LRB-3994

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JA 14 Jan 00

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